

# YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 20 – 75

## Resolution of Intent to Create Yellowstone County Rural Special Improvement District No. 858C

WHEREAS, pursuant to Sections 7-12-2101 through 7-12-2113 of the Montana Code Annotated, a board of county commissioners has the authority to create a rural special improvement district to construct roads. To create a district, a board should pass a resolution of intent, set a public hearing, provide notice of the public hearing, receive protests, hold a public hearing, consider protests and pass a resolution that either creates or does not create the district.

WHEREAS, the Yellowstone County Board of County Commissioners received a request from Frank Pelican, who owns land in Vista Buttes Subdivision, to create a rural special improvement district to pave (overlay) portions of the roads in the Subdivision, in particular Vista Loop Dr., and Pond Rd. Recently, the developer paved these roads in the Subdivision. The developer did not pave the roads to the required thickness. To pave the roads to the required thickness Frank Pelican would like the Board to create a District. If the Board creates the District, Rural Special Improvement District No. 761M will maintain the roads. The developer created the district to maintain the roads when it created the Subdivision. Exhibit 1 contains the specifics of the District such as name, location, map, parcels, property owners, activities, costs, assessment method, assessment and engineer. Below is a summary of the specifics of the District.

### District Summary

District Name:	Yellowstone County Rural Special Improvement District No. 858C
District Location:	Vista Butte Subdivision
District Parcels:	15 parcels
District Activities:	Pave (overlay) Vista Loop Dr., and Pond Rd.
District Costs:	\$93,891.13 estimated total
District Assessment Method:	Per parcel
District Assessment:	Annual assessment \$1,004.67 per parcel estimated
District Duration:	7 years
District Engineer:	Michael Black, PE – Yellowstone County Public Works Department

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners intends to create a rural special improvement district to pave (overlay) particular roads in Vista Buttes Subdivision. On November 17, 2020, at 9:30 am in Room 3108 of the Stillwater Building (316 North 26<sup>th</sup> Street) the Board shall hold a public hearing on the creation of the District. At the hearing, the Board will receive comments on the creation of the District and consider protests as to the creation of the District. The Board orders the Yellowstone County Clerk and Recorder to publish notice of the public hearing, mail notice of the public hearing to all property owners within the proposed District, receive written comments and protests on the creation of the District and provide the comments and protests to the Board before the hearing. After the hearing, if enough property owners have not protested the creation of the District and the Board believes that it is in the best interest of the public to create the District, it will pass a resolution to create the District. Conversely, if either enough property owners have protested the creation of the District or the Board believes that it is not in the best interest of the public to create the District, it will pass a resolution not to create the District.

Passed and Adopted on the 6<sup>th</sup> day of October 2020.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

---

Denis Pitman, Chair

---

Donald W. Jones, Member

---

John Ostlund, Member

ATTEST:

---

Jeff Martin, Clerk and Recorder

**Chronology**

Agenda – October 1, 2020

Resolution of Intent – October 6, 2020

First Publication / Mailing – October 9, 2019

Second Publication – October 16, 2020

Protest Deadline – November 16, 2020

Public Hearing / Resolution – November 17, 2020

**Documents**

Exhibit (Public Works Department / Finance Department / GIS Department)

Map, Properties and Property Owners List, Cost Estimate and Assessment Estimate

Resolution of Intent (County Attorney)

Minute Entry of Resolution of Intent Meeting (Clerk and Recorder)

Notification (County Attorney)

Affidavit of Mailing / Publication / Comments / Protests (County Attorney)

Resolution (County Attorney)

Minute Entry of Meeting of Public Hearing / Resolution Meeting (Clerk and Recorder)